

MANDATE

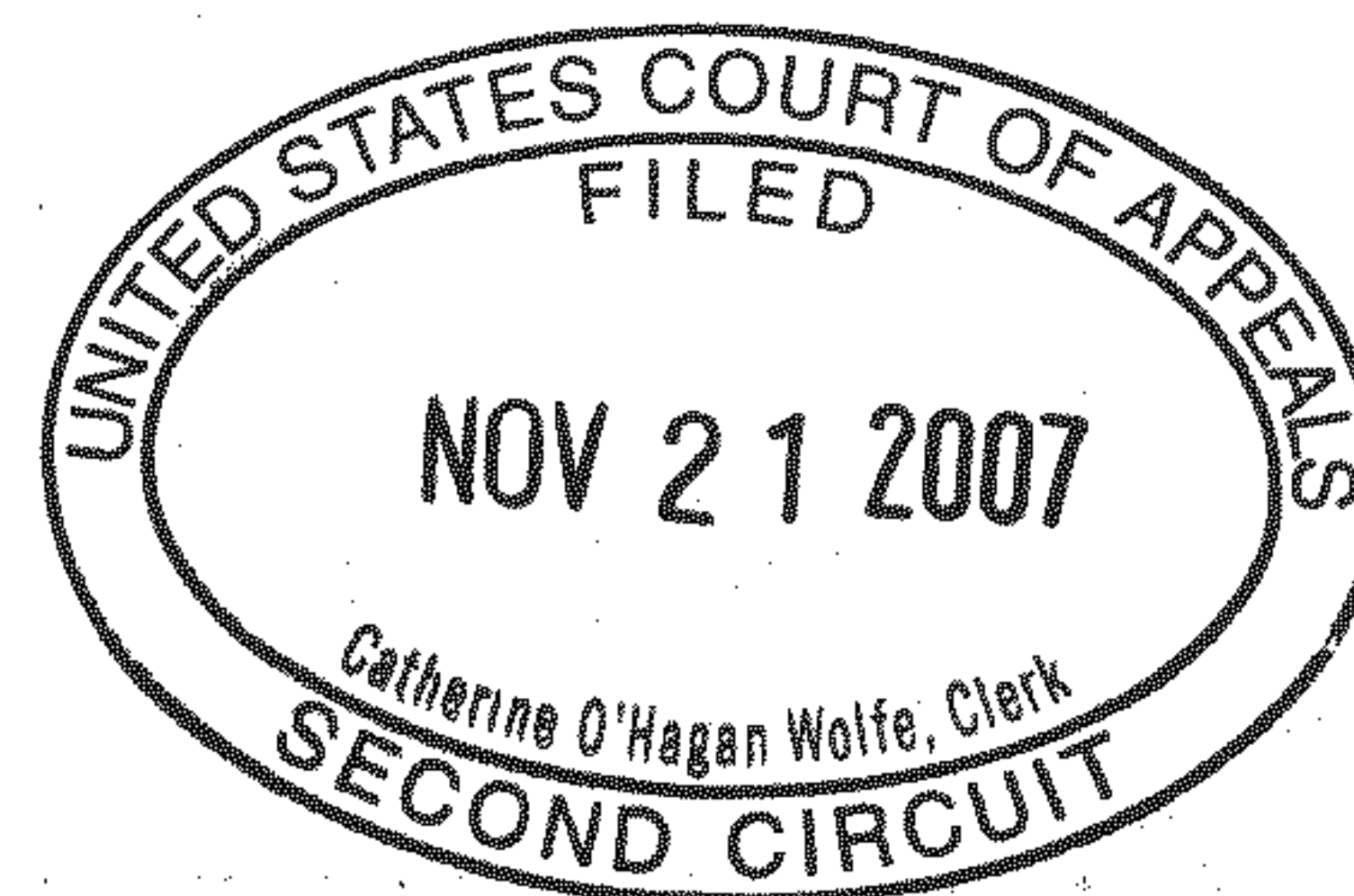
S.D.N.Y.-N.Y.C.
07-cv-3049
Wood, C. J.

United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 21st day of November, two thousand seven,

Present:

Hon. Ralph K. Winter,
Hon. John M. Walker, Jr.,
Hon. Guido Calabresi,
Circuit Judges.



Nakia Fletcher,

Petitioner-Appellant,

v.

07-3170-pr

Superintendent Ada Perez,

Respondent-Appellee.

Appellant, *pro se*, moves for a certificate of appealability and in forma pauperis status. Upon due consideration, it is hereby ORDERED that the motions are DENIED and the appeal is DISMISSED because Appellant has not shown that "jurists of reason would find it debatable whether the district

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A TRUE COPY
Catherine O'Hagan Wolfe, Clerk

by
by

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court was correct in its procedural ruling," *Slack v. McDaniel*, 529 U.S. 473, 478 (2000), as to the untimeliness of the Appellant's petition filed pursuant to 28 U.S.C. § 2254.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

By: 

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